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12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE DISTRICT OF OREGON
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15 KENNETH E. THOMAS, and
16 KRISTIN L. THOMAS,

O R D E R
Civ. No. 10-6234-AA

17 Plaintiffs,

18 vs.

19 ONEWEST BANK, FSB, a
20 federally chartered savings bank
21 and REGIONAL TRUSTEE SERVICES
22 CORPORATION, a Washington
23 corporation,

24 Defendants.
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AIKEN, Chief Judge:

Plaintiff's Emergency Motion for Preliminary Injunction (doc. 24) is granted. On November 18, 2010, this court previously denied as moot plaintiffs' prior motion for preliminary injunction based on defendants' representation to this court that

1 defendants have "postponed foreclosure from September 30 through
2 December 2, 2010, pending the Court's decision on [defendants']
3 motion to dismiss and is willing to continue working with
4 plaintiffs to postpone foreclosure beyond December 2, if
5 necessary." Order, doc. 23. Pending are both defendants' motion
6 to dismiss and plaintiffs' motion for preliminary injunction. The
7 court granted defendants leave to file a surreply to the
8 preliminary injunction motion until December 6, 2010.

9 Therefore, a preliminary injunction is hereby entered to
10 preserve the subject matter of this litigation and to cancel and
11 enjoin a Trustee's Sale of the Property scheduled on December 2,
12 2010, as well as preclude any further foreclosure proceedings,
13 sale, transfer, or encumbering of the property at issue pending
14 the full disposition of this litigation on the merits, or
15 settlement by the parties.

16 The parties are encouraged to contact the court if they are
17 interested in a judicial settlement conference.

18 IT IS SO ORDERED.

19 Dated this 30 day of November 2010.
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25 /s/ ANN AIKEN
26 Ann Aiken
27 United States District Judge
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